

STATE OF NEW YORK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

DOCUMENTS SERVED WITH INDEX#: 08CIV.3370

AND FILED ON

4/4/2008

EDMOND MALONE INDIVIDUALLY AND ON BEHALF OF ALL OTHER INDIVIDUALS
SIMILARLY SITUATED

Plaintiff(s)/Petitioner(s)

Vs.

TRI STATE LLC, ET AL

Defendant(s)/Respondent(s)

STATE OF: NEW YORK

SS

COUNTY OF WESTCHESTER

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 4/17/2008 at 12:37PM, deponent did serve the within process as follows:

Process Served: SUMMONS AND COMPLAINT, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; **

Party Served: MATTHEW PRATO

(herein called recipient)

At Location: 323 RAILROAD AVENUE

**Individual Practices of William C. Conner;
and Individual Practices of Magistrate Judge
George A. Yanthis

BEDFORD HILLS NY 10507

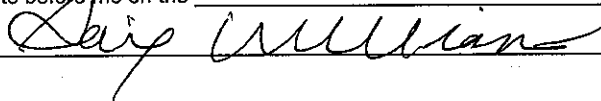
By delivering to and leaving with PHILLIP THOMAS a person of suitable age and discretion. Said premises is recipient's ☒ actual place of business ☐ dwelling house (usual place of abode) within the state.

On 4/17/08, deponent completed service by depositing a copy of the
SUMMONS AND COMPLAINT, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL;

to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex	<u>M</u>	Color of Skin	<u>WH</u>	Color of Hair	<u>GRAY</u>
Age	<u>58</u>	Height	<u>5'10"-6"</u>	Weight	<u>190</u>
Other Features		<u>SEATED</u>			

Sworn to before me on the 4/17/2008


GAIL WILLIAMS

Notary Public, State of New York

No. 4665052

Qualified in Westchester County

Commission Expires September 30, 2010


 Gary Williams

Server's License#: